

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

(Electronically Filed)

7-ELEVEN, INC.,

Plaintiff,

- against -

FARRUKH BAIG, BUSHRA BAIG, AZHAR ZIA
and ABY'S ENTERPRISES LTD.,

Defendants.

No. 2:13-cv-06354-SJF-WDW

**DECLARATION OF SUSAN V.
METCALFE IN SUPPORT
OF REQUEST FOR
CERTIFICATE OF DEFAULT**

SUSAN V. METCALFE hereby declares as follows::

1. I am a partner of the firm of Duane Morris LLP, attorneys for the Plaintiff 7-Eleven, Inc. ("7-Eleven").
2. On November 18, 2013, 7-Eleven filed the Complaint with the Clerk of this Court. A true and correct copy of the Complaint (Doc. No. 1) is attached hereto as Exhibit A.
3. On November 29, 2013, Defendant Azhar Zia ("Defendant") was served with the Complaint and his answer was due December 20, 2013. A true and correct copy of the Affidavit of Service (Doc. No. 9) is attached hereto as Exhibit B.
4. The time for Defendant to answer or to otherwise move with respect to the Complaint has expired, and the time for Defendant to answer or to otherwise move has not been extended.
5. Defendant has not answered, moved or otherwise responded to the Complaint, as evidenced by the docket report, a true and correct copy of which is attached hereto as Exhibit C.
6. Defendant is not an infant, and 7-Eleven has no reason to believe that Defendant is an incompetent person or is in the military.

7. 7-Eleven accordingly requests that the default of defendant, Azhar Zia, be noted and that a certificate of default be issued.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, or information and belief.

Executed at Philadelphia, Pennsylvania
on January 31, 2014

/s/ Susan V. Metcalfe
SUSAN V. METCALFE